

**DECLARATION AND POWER OF ATTORNEY**  
**(Attorney Docket No. HYZ-479CP - 47508.577)**

C O P Y

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Modulation of Immunostimulatory Activity of Immunostimulatory Oligonucleotide Analogs By  
Positional Chemical Changes**

the specification of which (check only one):

☐ is attached hereto.

☒ was filed as United States Patent Application

Serial No. 09/965,116

on September 26, 2001

and was amended

on \_\_\_\_\_

(if applicable)

☐ was filed as PCT Patent Application

Serial No. \_\_\_\_\_

on \_\_\_\_\_

and was amended under PCT Article 19

on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, Sections 1.56(a) and 1.56(b).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS  
UNDER 35 U.S.C. §119(a)-(d) or 365(b):**

<b>COUNTRY</b> (if PCT indicate PCT)	<b>APPLICATION NUMBER</b>	<b>DATE OF FILING</b>	<b>PRIORITY CLAIMED UNDER 35 U.S.C. §119(a)- (b) or 365(b) (YES/NO) NO</b>
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I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional patent application(s) listed below:

<b>APPLICATION NUMBER</b>	<b>DATE OF FILING</b>	<b>STATUS: (PENDING OR ABANDONED)</b>
60/235,452	September 26, 2000	Abandoned
60/235,453	September 26, 2000	Abandoned

I hereby claim the benefit under Title 35, United States Code, § 120 or 365(c) of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATION OR PCT INTERNATIONAL APPLICATION(S)  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120 or 365(c):**

<b>APPLICATION NUMBER</b>	<b>DATE OF FILING (day, month, year)</b>	<b>STATUS: (PATENTED, PENDING OR ABANDONED)</b>
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**POWER OF ATTORNEY:** As named inventors, we hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith

Michael J. Bevilacqua	Reg. No. 31,091
Barbara A. Barakat	Reg. No. 32,190
Steven D. Barrett	Reg. No. 40,903
Sally Byrne	Reg. No. 40,545
David J. Cervený	Reg. No. 44,600
James B. Lampert	Reg. No. 24,564
Wayne M. Kennard	Reg. No. 30,271
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Henry N. Wixon	Reg. No. 32,073

the mailing address and telephone number of each of whom is HALE AND DORR LLP, 60 State Street, Boston, Massachusetts 02109 and (617) 526-6000, with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**Send Correspondence To**

**Ann-Louise Kerner, Ph.D.  
Hale and Dorr LLP  
60 State Street  
Boston, MA 02109**

**Direct Telephone Calls To**

**Ann-Louise Kerner, Ph.D.  
(617) 526-6192**

Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements

were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Full name of first and joint inventor:** Ekambar R. Kandimalla

Inventor's signature  Date Nov. 01, 2001

Country of Citizenship: India

Residence and Post Office Address: 6 Candlewood Lane, Southboro, Massachusetts 01772

**Full name of second and joint inventor:** Qiuyan Zhao

Inventor's signature Qiuyan Zhao Date Nov. 01, 2001

Country of Citizenship: United States of America

Residence and Post Office Address: 11 Southwood Drive, Southboro, Massachusetts 01772

**Full name of third and joint inventor:** Dong Yu

Inventor's signature Dong Yu Date Nov. 01, 2001

Country of Citizenship: China

Residence and Post Office Address: 25 Indian Pond Road, Westboro, Massachusetts 01581

**Full name of third and joint inventor:** Sudhir Agrawal

Inventor's signature  Date Nov. 01, 2001

Country of Citizenship: India

Residence and Post Office Address: 61 Lamplighter Drive, Shrewsbury, Massachusetts, 01545

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Kandimalla et al.  
**Serial N .:** 09/965,116  
**Examiner:** Not Yet Assigned  
**Filed:** September 26, 2001  
**Group Art Unit:** 1632  
**Entitled:** MODULATION OF IMMUNOSTIMULATORY  
ACTIVITY OF IMMUNOSTIMULATORY  
ANALOGS BY POSITIONAL CHEMICAL  
CHANGES  
**Attorney Docket No.:** HYB-005US2 (1006/006)

**COPY**

Assistant Commissioner for Patents  
Washington, DC 20231

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
REVOCATION OF PRIOR POWERS, CHANGE OF CORRESPONDENCE  
ADDRESS, and CERTIFICATE UNDER 37 C.F.R. 3.73(b)**

Sir:

The undersigned Assignee of the above-identified United States patent application hereby revokes all powers of attorney previously created and appoints the following attorneys with full power of substitution and revocation to prosecute the application and to transact all business in the Patent and Trademark Office connected therewith:

**Wayne A. Keown, Ph.D.**      **Reg. No. 33,923**  
**Robert McIsaac, Ph.D.**      **Reg. No. 46,918**

All future correspondence should be sent to:

**Keown & Associates**  
**500 West Cummings Park**  
**Suite 1200**  
**Woburn, MA 01801**  
**Telephone: 781-938-1805**  
**Facsimile: 781-938-4777**

**CERTIFICATE UNDER 37 C.F.R. 3.73(b)**

Hybridon, Inc., a corporation existing under the laws of the State of Delaware, certifies that it is the Assignee of the entire right, title and interest in the patent identified above by virtue of an Assignment from the inventor(s) of the patent application recorded in the United States Patent and Trademark Office on June 19, 2002 at **Reel 013014, Frame 0939**.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above, and, to the best of the undersigned's knowledge and belief, title is in the Assignee identified above.

The undersigned whose title is supplied below is empowered to act on behalf of the Assignee.

The undersigned further declares that all statements made herein are of its own knowledge and are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent.

Respectfully submitted,

By: R.G. ANDERSEN

Title: CFO

Signature:

Date: 10 MARCH 2003